

18. MUSIC BOARD

18.01. Composition. There shall be a permanent music board of thirteen members, one from each ward and seven from the city at large.

18.02. Appointment and Compensation. All members of the board shall be appointed by the mayor with the advice and consent of the council and shall serve without compensation.

18.03. Term. Each member of the board shall be appointed for a term of three years and until a successor is appointed and qualified, except that initial appointments may be made for terms of less than three years in order that thereafter an equal number of terms expire each year. The mayor with the advice and consent of the council may reappoint members.

18.04. Oath. Each member of the board, before entering upon the duties, shall take and subscribe an oath of office as prescribed by section 3.03 of the charter.

18.05. Vacancies. Vacancies occurring on the board shall be filled for the unexpired term by appointment by the mayor with the advice and consent of the council. Any member whose appointment requires residence in a particular ward, shall be deemed to have resigned and vacated the office upon changing residence from the ward from which appointed.

18.06. Removal. The mayor may remove any member of the board whenever, in his discretion, the best interests of the city shall be served thereby.

18.07. Officers. At its regular annual meeting the board shall elect a president and an executive committee from its members.

18.08. Duties. The president shall preside over all meetings of the board. In the president's absence or in the event of a temporary vacancy in the position, a member of the executive committee shall be selected to preside. The board shall keep a record of all meetings and proceedings of the board and transmit its recommendations to the mayor and council.

18.09. Regular Meetings. The board shall hold a regular annual meeting in January of each year and shall meet in regular session at least once each quarter at a time and place selected by a vote of its members.

18.10. Special Meetings. The president or any two members of the board may call special meetings of the board. Written notice of special meetings shall be given to all members, setting forth the purpose of the special meeting, and no other matters shall be considered at such meeting without the unanimous consent of all members present.

18.11. Quorum. Eight members of the board shall constitute a quorum to transact business.

18.12. Rules. The board shall adopt a set of rules to govern its own meetings and procedures, which rules shall not be inconsistent with the provisions of the charter and this code. The rules may be amended from time to time, but only upon notice to all members that proposed amendments shall be acted upon at a specified meeting.

18.13. Voting. Each member of the board, including the president, shall have one vote on all matters acted upon by the board.

18.14 Ex Officio Members. When requested by the board, the mayor may appoint not to exceed two ex officio or advisory, non-voting members to the board for such terms as the board may designate but not to exceed one year from the date appointed. The appointment of any ex officio or advisory member or members need not be approved by the council and any such member may be removed at any time by the mayor or the board. The provisions of Section 18.04 shall not apply to ex officio members of the board.

18.15. Music Director, Manager and Other Employees. The permanent positions of music director and manager are established who shall be employed by the board with the advice and consent of the council. The board shall have the authority to employ such other personnel as it deems necessary within the means provided therefore in the budget adopted by the council. The compensation of the music director, manager and other personnel employed by the board shall be fixed by the council.

18.16. Powers and Duties. The board shall have the following powers and duties:

- (1) To develop, organize, promote and administer a comprehensive, coordinated music program for the city.
- (2) To provide music for the general public within the limits of the funds made available for that purpose.
- (3) To promote and encourage all music and musical activities of a public nature in the city and vicinity.
- (4) To accept gifts and bequests for the benefit of the music program.
- (5) To incur obligations for commodities and services to the extent authorized in its budget by the council; provided, however, that all proceedings in connection with contracts which must be let upon advertisement and public bids shall be by the council.
- (6) To take possession and assume responsibility for all property now or hereafter acquired and devoted exclusively to the music program of the city.

18.17. Expenses. Before any claims are submitted to the council for payment of obligation incurred by the board, such claims shall be first approved by the board or when authorized by the board, by a member or the manager.

18.18. Music Fund. There is created and established a separate music fund into which shall be paid all taxes levied under authority of state law for the maintenance, transportation, and employment of a band for municipal purposes, all monies transferred thereto by the council from the general fund and all monies donated or otherwise acquired by the city for music purposes. Records of all receipts and expenditures relating to said fund shall be maintained in a separate account by the city treasurer and all appropriations or expenditures from said fund and all contracts let to be paid out of said fund shall be made by the council as required by the charter and other laws applicable thereto.

18.19. Annual Report. Not later than March 1 of each year, the board shall make a report to the mayor and council setting forth its activities and accomplishments during the preceding calendar year and such other information concerning its past, present and future activities as the board deems necessary to properly inform the mayor and council as to the status of the program.

(1198, 3/4/63; 1732, 11/6/73; 2038, 4/16/79; 2067, 9/5/79; 2176,
4/6/81; 2268, 11/15/82; 2987, 4/18/95)